## REMARKS

In response to the Office Action dated September 20, 2005, Applicant respectfully requests reconsideration of the rejections. The withdrawal of the previous grounds of rejection is noted with appreciation.

Claims 1-11 were rejected under 35 U.S.C. §103, on the grounds that they were considered to be unpatentable over the *McIntyre* patent in view of the *Tsunekawa* patent. Claim 12 was rejected on the basis of these two patents, in further view of the *Isoda* patent. For the reasons presented below, it is respectfully submitted that these references do not suggest the claimed subject matter to a person of ordinary skill in the art, whether considered individually or in combination.

Claim 1 recites a print object converter having, among other elements, an intermediate data generator for generating intermediate data of an object to be printed, and a classification table generator for generating an object classification table of the print object, in parallel with the generation of the intermediate data. In rejecting the claims, the Office Action asserts that the *McIntyre* patent discloses an intermediate data generator, and references the high level language from a host application on a remote device, disclosed at column 3, lines 16-18. The Office Action also asserts that the *McIntyre* patent discloses a classification data generator for generating object classification data of the print object, and also references the high level description information of objects in print data generated by the host. The Action states that the generation of the high level print data happens all at once, and therefore concludes that the object classification data is generated in parallel with the intermediate data.

In its characterization of the reference, therefore, the Office Action is interpreting both the intermediate data and the object classification data to be contained within the high level language that is received from the remote computer. It is respectfully submitted that a person of ordinary skill in the art would not consider the instructions that are received at the printer 100 from the host computer to be "intermediate data", as that term is used in the context of the present invention. Rather, these instructions comprise the PDL data. As described in the background portion of the McIntyre patent at column 1, lines 14-23, the host computer translates the application specific document into a page description language that the printer understands. Thus, the data received at the input/output interface 110 of the printer 100 is PDL data. The control driver 104 then uses the PDL to convert this data into a printer-dependent data stream (see column 3, lines 18-22).

The McIntyre patent is directed to the fact that multiple PDLs, or personalities, could reside on the host system (column 1, lines 60-64). Consequently, the printer must know which PDL, or version of a PDL, to use when interpreting the data received from a host, in order to convert that data into printer-dependent data. For this purpose, the printer driver 114 analyzes the received data from the host to select the appropriate PDL to use (column 4, lines 15-21).

In essence, therefore, the McIntyre patent is concerned with operations that take place within the printer, to select the most appropriate PDL for interpreting incoming PDL data. In contrast, the claimed invention is directed to operations that occur within the host to select the optimum PDL to generate that data in the first place. In accordance with the invention, an object classification table, that is generated in parallel with the intermediate data, is employed to make this selection.

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Once a PDL has been selected, PDL data is generated in the selected language, and sent to the printer.

In summary, the present invention selects an optimum PDL with which to generate the data that is sent to a printer, whereas the McIntyre patent selects a PDL with which to analyze the data received at the printer. Because of its different objective, the McIntyre patent does not suggest the claimed subject matter. For instance, claim 1 recites "a PDL data generator for generating PDL data... in the selected PDL." In rejecting the claim, the Office Action asserts that the control driver 104 of the McIntyre patent is such a PDL data generator. It is respectfully submitted, however, that the control driver 104 does not generate "PDL data". Rather, it converts received instructions into a "printer-dependent data stream" (column 3, lines 18-22; column 4, lines 15-21). Printer-dependent data is not the same as PDL data. Rather, PDL data is device-independent, and printer-dependent data is derived from PDL data for a specific printer. See the definition of "page-description-language" from the Microsoft Computer Dictionary, Fifth Edition, submitted herewith.

Accordingly, in addition to the distinctions noted previously, it is respectfully submitted that the McIntyre patent does not disclose a PDL data generator as recited in claim 1. Likewise, it does not disclose the step of "generating PDL data... in the selected PDL" as recited in claims 4 and 7.

As set forth in MPEP §2143, three criteria must be met to establish a *prima facie* case of obviousness. One of these criteria is that the references must teach or suggest all of the claim limitations. In view of the foregoing, it can be seen that the *McIntyre* patent does not teach all of the claimed elements that are asserted in the Office Action. Among other differences, it does not teach an intermediate data

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generator that generates intermediate data from received application data, a classification table generator that generates an object classification table from received application data, a PDL selector for selecting a PDL using the object classification table, nor a PDL data generator for generating PDL data in the selected PDL.

The *Tsunekawa* patent was relied upon as disclosing print data in the form of a table, as well as the use of a receiving buffer. However, the *Tsunekawa* patent does not teach the claimed elements identified above that are missing from the *McIntyre* patent. Namely, none of an intermediate data generator, a classification table generator, a PDL selector that selects one PDL by using an object classification table, nor PDL data generator are disclosed in the *Tsunekawa* patent.

For at least these reasons, therefore, it is respectfully submitted that the *McIntyre* and *Tsunekawa* patents do not support a *prima facie* case of obviousness relative to the subject matter recited in claim 1, even when these references are considered together. For the same reasons, the subject matter of claims 4 and 7 is not suggested by the disclosures of these references.

The *Isoda* patent was cited in the rejection of claim 12, for its disclosure of selecting a rasterization level based upon the name of the printer to which a print job is being sent. It is respectfully submitted that the selection of a rasterization level, based upon the printer, is not the same as the selection of a page description language. Furthermore, it is respectfully submitted that this reference does not overcome the distinctions between the subject matter recited in the claims and the disclosures of the *McIntyre* and *Tsunekawa* patents, discussed above.
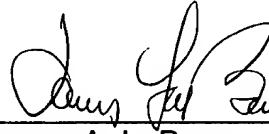
In view of the foregoing, it is respectfully submitted that all pending claims are

patentably distinct from the disclosures of the *McIntyre, Tsunekawa* and *Isoda*

patents. Reconsideration and withdrawal of the rejections is respectfully requested.

Respectfully submitted,

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